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SUBJECT: ETHIOPIA: THE WAY FORWARD ON POLITICAL DIALOGUE
AND DETAINEES

REF: ADDIS ABABA 3954

Classified By: Charge Vicki Huddleston for reason 1.4 (b,d)

1. (C) Summary: Forward movement on democratization in Ethiopia is essential to avoid further political violence as well as a further deterioration in the human rights and political freedoms. An improvement in the political climate also appears to be the most practical and effective way to obtain the eventual release of detained leaders of the CUDP, journalists and civil society representatives. PM Meles is ready to reopen political dialogue with the leadership of opposition parties in Parliament, and those parties, including the UEDF and the OFDM have agreed to initiate informal discussions with the GOE. The Charge arranged for Meles to meet with party leaders beginning Dec. 12. Meles said he would include the CUD Parliamentary opposition in the discussions once they have named a leader. We expect the talks to focus on "rule of law" issues including current unrest in Oromiya improving opportunities for the opposition in Parliament, media issues, and National Electoral Board (NEB). As the discussion moves forward, we hope that trust will be built that would prepare the way for the realization of the EU-US ten point plan, including the release of detained CUDP leaders. End Summary.

2. (C) While relative calm has returned to the streets in most parts of Ethiopia since widespread, violent protests in early November, political tension remains high. Disturbances continue in many parts of the extensive Oromiya region, including protests, arrests and some reported killings of government opponents. The Oromo Liberation Front's (OLF) call for popular struggle against the GOE appears to have prompted much of the unrest. Popular frustration with the EPRDF simmers just below the surface in many other areas as well, particularly cities and towns. The continuing detentions of Coalition for Unity and Democracy Party (CUDP) leadership as well as many CUDP followers is a major factor in public anger, as is the more general perception that Ethiopia's democratic opening is sliding backwards.

PM and Parliamentary Opposition Agree to Talk

3. (C) The Nov. 6 U.S.-EU Statement on the current situation sought to provide a way forward, and included an explicit call for the release of CUDP leaders as well as other detainees. PM Meles has categorically rejected a release of the detainees prior to their trial, however. Charges are expected to be announced by the government on Thursday. Although Embassy and DAS Yamamoto have repeatedly pressed for the CUD a civil society leaders release, on a parallel course we are seeking to open political space and build confidence between the Government and opposition in Parliament by encouraging a serious discussion/dialogue between the GOE and those opposition parties in Parliament, including the United Ethiopian Democratic Forces and the Oromo Federal Democratic Movement (OFDM). As part of the political dialogue with the GOE in October, the UEDF was negotiating alongside the CUD a joint agenda focused on

SIPDIS

strengthening Ethiopia's democratic institutions. PM Meles expressed to the Charge in private on at least two occasions since early November his willingness to resume discussions on the same eight-point agenda agreed before October talks collapsed. The Charge followed up with several meetings with UEDF leaders Beyene Petros and Merera Gudina, OFDM leader Bulcha Demeksa and independent (former President) Negaso. All agreed December 7 to resume talks with the suspended eight-point agenda as a starting point. PM Meles confirmed Dec. 8 that he would be available to do so beginning Dec. 12 with British Ambassador and Charge present. Talks with the PM are also planned for December 13 and 14; subsequent talks will not necessarily include the Prime Minister. The Prime Minister suggested that Dr. Negaso (an independent member of Parliament) not participate because he does not represent a party. This is agreeable to the opposition.

The Empty Chair: CUDP Not Ready to Participate

4. (C) The PM said that he would like to include the leader of the CUD Parliamentary group when it chooses a leader. So far, however, the CUD has not successfully re-established its decision-making structure since the arrest of its leaders and the rejection by the NEB of the coalition proposed merger into a single party in November (reftel). According to the NEB, the CUDP does not exist as a legal entity; PM Meles has indicated to the Charge twice in private that the previous CUD coalition would be charged with criminal offenses. There are currently at least 59 CUDP members who have taken their seats in Parliament in defiance of the party's for

decision not to do so -- over half of the 109 CUDP MPs elected -- but those MPs have studiously avoided any media exposure and do not appear have selected a leader. Other opposition parties confirmed post's impression that the CUD is not yet ready to participate in any formal dialogue. EU Ambassador Tim Clarke asked the UEDF and OFDM leaders if they were aware of the "danger" of going ahead with talks while the CUD leaders are detained. The four leaders told him that any gains they would be for all the opposition, but that this is now the only way forward. Clarke reluctantly agreed to support the effort. The other E Troika members, the UK and Austrian Ambassadors agreed with the UEDF, O and ourselves that the new round of dialogue is the best possibility for consolidating democracy. CUD supporters in the Diaspora issued a communiqué Dec. 6 in which they opposed any dialogue conducted without their party's participation.

Substance: Rule of Law, Parliament, Media and Electoral Board

15. (C) The eight-point agenda that will initially guide the discussions includes four initial items proposed by the GOE that respect for the Constitution by both government and opposition, such as recognizing the Constitution and institutions of government and rejecting illegal actions. The other agenda items are the "rule of law", including such matters as arbitrary detentions and harassment of opposition parties as well as the disturbances in Oromiya; access to responsible public and private media; a review of Parliamentary rules and the creation of an effective Parliament; and capacity-building for the National Electoral Board (NEB) and naming of a new Board. As before, opposition parties would like to push discussion on the NEB agenda item to cover deeper reform of the institution to ensure impartiality, rather than simply training staff, etc. The UEDF and OFDM also will raise the constitutional issue of when local elections will be held. Issues will be divided into two categories. Category one includes those issues that constitutional obligations. Category two are those that provide political space for opposition but are not mandated by law.

Local Mediation Possible, but Only Limited International Participation

16. (C) While details of the discussions/dialogue are likely to evolve following the initial meeting on Dec. 12, the PM told the Charge on Dec that he wanted her and British Ambassador Dewar to participate only in initial session. Thereafter, the PM said that the international community would be kept informed of progress in the talks. Meles said that he would participate himself in at least the first three days of discussion but would eventually turn them over to Public Affairs Advisor Bereket Simon. In a departure from the previous dialogue, the PM suggested that he was considering some form of independent Ethiopian mediation or observation in the talks. Among the options appears to be participation by representatives of a group of elders, a common local form of dispute resolution and reconciliation that the GOE has resisted up until now. UEDF leader Beyene Petros suggested separately that someone like Amb.

SIPDIS

Berhanu Dinka, an Ethiopian diplomat currently engaged in Darfur mediation, would be a good choice to mediate. Meles also said that he will initiate a separate discussions with Oromo leaders like Merera Gudina and Bulcha Demeksa to discuss particular Oromo issues.

Expected Outcomes from Dialogue

17. (C) If the initial discussions with the Prime Minister are productive we anticipate the following: reduced pressure on the Parliamentary opposition and increased political space in Parliamentary deliberations that they have a more effective voice; release of remaining detainees of the UEDF and OFDM that not linked with OLF's call for insurrection; opposition participation in the review of the rules of Parliament; agreement by all sides to abide by the constitution; better access to media and a toning down of rhetoric on both sides; capacity-building of the NEB; and the beginning of a search for solutions to the violence in Oromiya. As the discussions move into category two, we would hope to see: revision of Parliamentary rules and at least one opposition committee chairmanship; consultations and agreement on date of local elections; a naming of a new NEB Board; implementation of a new media law and code of conduct agreeable to government and opposition; the full participation of the CUD parliamentarians; and an end to arbitrary detentions. It is our expectation that as trust is built up through the dialogue, the GOE will not only be more willing to loosen its repressive grip on the opposition generally, but will also consider a pardon of the CUD and civil society leaders, probably after the trial and verdict.

18. (C) Should the talks with ONC leader Dr. Merera and UEDF leader Dr. Bulcha on Oromiya go well, this could lay the foundation for resuming cooperation with the government. The OLF will have to reinitiate the dialogue, however. The Prime Minister has suggested that one potential solution would involve allowing the OLF to participate indirectly in Parliament via its natural allies in either the ONC or OFDM.

City Government: the Next Target

19. (C) While the above discussions are underway, the US and the Troik will continue to meet with the leaders of the UEDP - Medhin, most importantly MP-elect Lidetu Ayalew and deputy mayor election Alemasu. Although many of the UEDP-Medhin members have joined Parliament, their leaders fear public recrimination if they enter, especially as the CUD press has attacked Lidetu for allegedly sabotaging the CUDP merger. Assuming the discussions improve cooperation and reduce tensions, this would allow the UEDP-Medhin leaders to announce publicly their intention to enter Parliament and organize its members to take over the government of Addis Ababa, where they won the majority of seats. UEDP-Medhin could potentially supply 63 of the 71 Regional Council members necessary to form an opposition government in the capital. At least a handful of other members elected to the Council under the CUD banner would have to join them. The GOE remains ready to hand over the city administration, but will likely appoint a long-term caretaker government if opposition Council members-elect do not show up within the next month or so.

International Support for Democratic Progress

10. (SBU) Assistance to Parliament, the NEB, and the media by USAID and other international donors will be essential to supporting and consolidating progress in the GOE-opposition discussions. A USAID contractor will be conducting an orientation program for all MPs -- including those elected by the CUD who have taken their seats -- during the week of Dec. 12. We are working intensively with other members of the local Donors Assistance Group (DAG) to conduct a comparative study of the rules of Parliamentary procedure that should inform GOE-opposition discussions on the need for changes to those rules. We are also developing DAG proposals to respond to openings from PM Meles and the Speaker of Parliament for technical assistance and training in the area of media law and practice.

11. (C) AF -- especially DAS Yamamoto and AF/E, led by Eunice Reddick -- is playing an essential role in our ongoing efforts to resolve Ethiopia's internal political crisis. It will also be essential to maintain a unified front with the EU. Building democracy, calming tensions, and improving respect for the rule of law will contribute to a solution of the Eritrea/Ethiopian border dispute. A confrontation will become less likely as Ethiopia becomes more stable internally. Both Eritrea and Ethiopia would be better able to concentrate their efforts on development rather than confrontation.

HUDDLESTON